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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

LUIS MAURICIO CASTENON
BRYAN STEVEN REYES,

Defendant.

CASE NO. 1:22-CR-00309-ADA-DAM

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
ORDER

CURRENT DATE: February 26, 2024.
TIME: 1:00 p.m.
COURT: Hon. Barbara A. McAuliffe

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and LUIS MAURICIO CASTENON, by and through defendant's counsel of record, Anthony Capozzi, and BRYAN STEVEN REYES, by and through defendant's counsel of record, Mark Coleman, hereby stipulate as follows:

1. By previous order, this matter was set for status on February 26, 2024.
2. By this stipulation, defendant now moves to continue the status conference until May 22, 2024 and to exclude time between February 26, 2024., and May 22, 2024, under 18 U.S.C. § 3161(h)(7)(A), B(iv).
3. The parties agree and stipulate, and request that the Court find the following:
 - a) The government asserts that discovery in this matter has been provided to both defendant's counsel. However, Mr. Reyes only came into federal custody in October 2023, Mr.

1 Coleman still requires additional time to review the discovery related to Mr. Reyes and conduct
2 his own investigation. Mr. Coleman has sent subpoenas and is in the process of ongoing
3 investigation related to the discovery Mr. Coleman has reviewed. Mr. Capozzi likewise is
4 conducting ongoing investigation. The government is aware of its ongoing discovery obligations.

5 b) The parties will engage in further discussions regarding a resolution of the case.
6 The Government has not provided a plea offer to Mr. Reyes yet and requires additional time to
7 discuss resolution of the case with Mr. Coleman. The Government requires additional time to
8 discuss the offer made to Mr. Castenon with Mr. Capozzi.

9 c) Counsel for the defendants desire additional time to consult with their clients, to
10 review the current charges, to conduct investigation and research related to the charges, to review
11 and/or copy discovery for this matter, to discuss potential resolutions with their clients, to
12 prepare pretrial motions, and to otherwise prepare for trial.

13 d) Counsel believe that one more status conference is necessary before the parties
14 will be prepared to either set a trial date or resolve the case through changes of plea.

15 e) Counsel for the defendants believe that failure to grant the above-requested
16 continuance would deny them the reasonable time necessary for effective preparation, taking into
17 account the exercise of due diligence.

18 f) The government does not object to the continuance.

19 g) Based on the above-stated findings, the ends of justice served by continuing the
20 case as requested outweigh the interest of the public and the defendant in a trial within the
21 original date prescribed by the Speedy Trial Act.

22 h) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
23 et seq., within which trial must commence, the time period of February 26, 2024. to May 22,
24 2024, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) , because it
25 results from a continuance granted by the Court at defendant's request on the basis of the Court's
26 finding that the ends of justice served by taking such action outweigh the best interest of the
27 public and the defendant in a speedy trial.

28 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the

Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence. IT IS SO STIPULATED.

DATED: February 22, 2024

PHILLIP A. TALBERT
United States Attorney

By: /s/ Arin C. Heinz
ARIN C. HEINZ
Assistant U.S. Attorney

DATED: February 22, 2024

By: /s/ Anthony Capozzi
ANTHONY CAPOZZI
Attorney for Defendant
LUIS MAURICIO CASTENON

DATED: February 22, 2024

By: /s/ Mark Coleman
MARK COLEMAN
Attorney for Defendant
BRYAN STEVEN REYES

ORDER

IT IS SO ORDERED that the status conference is continued from February 28, 2024, to **May 22, 2024, at 1:00 p.m. in Courtroom 8 before Magistrate Judge Barbara A. McAuliffe**. Time is excluded pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv).

IT IS SO ORDERED.

Dated: February 22, 2024

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE